THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.8332 OF 2005

Dt.28.11.2005

Between:

Motoru Srihari Rao … Petitioner

And

The Branch Manager,

Oriental Insurance Company Ltd.,

Hyderabad. … Respondent

ORDER:

Heard the learned counsel for the petitioner.

The petitioner questions the action of the respondent in not settling the insurance amount. Even according to the petitioner it is stated that because of the fact that the Inspector General of Police, C.I.D., Hyderabad, gave a report to the respondent company stating that the father of the petitioner committed suicide and therefore the insurance amount has not been paid.

The learned counsel for the petitioner submits that it was not a case of suicide and therefore the respondent could not refuse to pay the insurance amount.

I am of the opinion that disputes questions of fact cannot be decided in this writ petition filed under Article 226 of the Constitution of India.

Having regard to the facts and circumstances of the case, the writ petition is dismissed with liberty to the petitioner to file civil suit for settlement of the said insurance amount in respect of Group Insurance Policy or any other Insurance Policy held by the father of the petitioner.

The writ petition is accordingly dismissed. No costs.

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(V.ESWARAIAH, J.)

28.11.2005

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